

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DeJuan Haywood Haggins,

Civil No. 12-1105 (DWF/LIB)

Plaintiff,

v.

ORDER

Ramsey County, C.O. Whipps,
C.O. Renteria, C.O. Frerichs,
C.O. Brommerich, Sgt. Sontoya,
and Ramsey County Jail
Employees,

Defendants.

This matter is before the Court upon a letter from Plaintiff DeJuan Haywood Haggins (“Plaintiff”), filed on June 26, 2012. (Doc. No. 6.) The Court construes the letter as an appeal of Magistrate Judge Leo I. Brisbois’s June 8, 2012 Order (Doc. No. 5).

The Court must modify or set aside any portion of the Magistrate Judge’s order found to be clearly erroneous or contrary to law. *See* 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); D. Minn. LR 72.2(a). This is an “extremely deferential standard.” *Reko v. Creative Promotions, Inc.*, 70 F. Supp. 2d 1005, 1007 (D. Minn. 1999). “A finding is ‘clearly erroneous’ when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.” *Chakales v. Comm’r of Internal Revenue*, 79 F.3d 726, 728 (8th Cir. 1996) (quoting *United States v. United States Gypsum Co.*, 333 U.S. 364, 395 (1948)). The

Court has carefully reviewed the record and concludes that Plaintiff's appeal is without merit.

Plaintiff appears to argue that Magistrate Judge Brisbois has improperly required him to pay a partial filing fee in the amount of \$89.06, despite the Court having afforded him three months to make the payment, in as many installments as necessary. (Doc. No. 5.) Furthermore, Plaintiff does not appear to dispute his ability to pay the full \$350 filing fee "in due time." (Doc. No. 6.) Plaintiff has failed to demonstrate that he is entitled to a waiver of the partial filing fee. Therefore, the Court denies Plaintiff's appeal and affirms Magistrate Judge Brisbois's June 8, 2012 Order in all respects.

ORDER

Accordingly, **IT IS HEREBY ORDERED** that Magistrate Judge Leo I. Brisbois's June 8, 2012 Order (Doc. No. [5]) is **AFFIRMED**.

Dated: July 3, 2012

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge